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Fax Transmission | February 15, 2005

TO: Commissioner for Patents
Attn: Examiner Veniaminov
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Timothy R. Conrad

OUR REF: 11998.21USC2
TELEPHONE: 612.336.4625

Total pages, including cover letter: 10PTO FAX NUMBER 1.703.746.4000


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Title of Document Transmitted:

COMMUNICATION IN RESPONSE TO
NOTICE OF ALLOWANCE

Applicant: ALFERNES ET AL.
Serial No.: 10/716,020
Filed: NOVEMBER 17, 2003
Group Art Unit: 3736
Our Ref. No.: 11998.21USC2
Confirmation No. 5577

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: 
Name: Timothy R. Conrad
Reg. No.: 30,164

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


Signature

2/15/05
Date



10/716,020

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	ALFERNES ET AL.	Examiner:	VENIAMINOV
Serial No.:	10/716,020	Group Art Unit:	3736
Filed:	NOVEMBER 17, 2003	Docket No.:	11998.21USC2
Title:	CARDIAC DISEASE TREATMENT AND DEVICE		

CERTIFICATE UNDER 37 CFR 1.8(b):

I hereby certify that this paper is being transmitted by facsimile to Mail Stop Issue Fee on February 15, 2005.

By:

Name: Linda M. Beckman

COMMUNICATION IN RESPONSE TO NOTICE OF ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Communication is in response to the Notice of Allowance mailed January 31, 2005 wherein a reference was not considered by the Examiner stating that Applicant did not provide a copy of same.

This Communication also confirms our telephone call on this topic with the Examiner on February 15, 2005.

Applicant respectfully submits that the reference was properly before the Examiner for consideration. Namely, the reference was cited and submitted in a parent application. A separate submission of the copy of the reference was not required pursuant to 37 C.F.R. §1.98(d). However, for the Examiner's convenience, Applicant is enclosing a copy of "Supplement to Circulation", *Abstracts from the 68th Scientific Sessions*, Vol. 92, No. 8, 2 pages (October 15, 1995) (Abstract No. 1810). A copy of the initialed Form 1449, along with a clean copy of page 1 of same, is also enclosed.

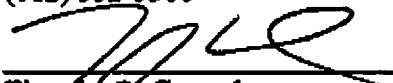
Applicant respectfully requests the Examiner initial this reference and return same to Applicant prior to the April 30, 2005 issue fee deadline.

Respectfully submitted,

MERCHANT & GOULD P.C.
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(612) 332-5300

Date: 15 February 2005




Timothy R. Conrad
Reg. No. 30,164
TRC:lmb